IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No. 1703 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

SANGITABEN ASHWINKUMAR VAMJA
Versus
ASHWINKUMAR HARILAL VAMJA

==========

Appearance :
MR KISHOR M PAUL for the Applicant
MR VIRAL M PANDYA for the Opponent

==========

CORAM : HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

Date : 07/05/2007

ORAL JUDGMENT

1. **RULE**. Mr.Pandya, learned advocate waives service of Rule on behalf of the opponent.

2. The applicant - Smt. Sangitaben Ashwinkumar Vamja – original opponent – wife is before this Court.

Civil Misc.Application No.98 of 2004 in HMP Case No.128 of 1996 was filed by the applicant – wife. The same is pending after Civil Misc. Application No.591 of 2001 seeking condonation of delay is granted.

3. It is not in dispute that the applicant – wife is serving as lady constable in Police Department at Rajkot and the husband is serving in a private company.

Hardships which the wife is to face in attending the matters at Family Court, Ahmedabad are greater than the hardships which the husband is suppose to face, if he attends the matters are Rajkot.

4. Only for this sole reason, present Misc. Civil Application is allowed. Civil Misc. Application No.98 of 2004 in HMP Case No.128 of 1996 with HMP Case No.128 of 1996 are ordered to be transferred to Rajkot. Rule is made absolute with no order as to costs.

(RAVI R.TRIPATHI, J.)

*Shitole